

AN ORDINANCE

BY COUNCILMEMBER CLAIR MULLER

00-0-1962

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A NEW AGREEMENT FOR LEASE OF CHASTAIN AMPHITHEATER FOR A TERM OF ONE YEAR, WITH THE ATLANTA SYMPHONY ORCHESTRA, CONCERT SOUTHERN PROMOTIONS AND JERRY DICKERSON PRESENTS.

WHEREAS, the current contract for management and operation of the City's amphitheater at Chastain Park expires on December 31, 2000; and

WHEREAS, the current contract has posed many problems for the surrounding residences including excessive noise, traffic gridlock, the number of events, and concern about occupancy capacity of the amphitheater; and

WHEREAS, efforts were made during the week of November 13, 2000 to resolve some of these issues, which had been subject to a lawsuit in 1990 brought by Chastain Park Civic Association; and

WHEREAS, while some progress was made to resolve these issues, the sound issue may take months to resolve with a sound consultant, and the parties to the contract must move forward with bookings and subscriptions for the 2001 season.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF ATLANTA, GEORGIA that a new Agreement for a one year term be entered into with substantially the same elements as the 1990 contract.

SECTION 1: That all parties listed above be signatories to the new one year Agreement with access to the same number of dates as in the 1990 contract.

SECTION 2: That the only Capital Improvements made during the Year 2001 be those required by the Fire Marshall for safety reasons and that the costs are born equally by the City and all parties to the Agreement.

SECTION 3: That the City will obtain the services of an acoustical engineer to resolve the sound issues before the 2002 concert season.

SECTION 4: That the City and the signatories to this Agreement continue the discussions on the other issues of the 1990 nuisance lawsuit filed by the Chastain Civic Association.